

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

In re:	:	
	:	Chapter 11
	:	
GARDEN RIDGE CORPORATION <u>et al.</u> ,	:	Bankr. Case No.: 04-10324 (KJC)
	:	Jointly Administered
Debtors.	:	
_____	:	
	:	
DANIEL FERGUSON,	:	
	:	Case No. 06-CV-00213 (GMS)
Appellant,	:	
	:	
v.	:	
	:	
GARDEN RIDGE CORP., <i>et al.</i> ,	:	
	:	
Appellees	:	
_____	:	

**SECOND STIPULATED ORDER EXTENDING BRIEFING SCHEDULE**

WHEREAS, on February 20, 2006, Daniel Ferguson, appellant herein ("Ferguson") filed the instant appeal ("Appeal") from the *Memorandum of Opinion and Order* ("Order") and related *Judgment* ("Judgment") of the Hon. Randolph Baxter, entered on February 14, 2006 [Bankr. D.I. Nos. 2064, 2066] in the above-captioned bankruptcy cases of Garden Ridge Corporation, *et al.*, the above-captioned appellees (collectively, "Garden Ridge"); and

WHEREAS, pursuant to the Court's General Order dated July 23, 2004, mediation was conducted in good faith on May 19, 2006, before the selected mediator, William H. Suddell, Jr., Esq.; and

WHEREAS, despite good faith efforts, the mediation did not resolve the Appeal, and Mr. Suddell having so reported to the Court by letter dated May 22, 2006; and

WHEREAS, the parties subsequently requested by the filing on May 24, 2006 of the *Stipulated Order Extending Briefing Schedule* ("First Stipulated Order") an extension of the deadlines for filing of the parties' briefs in this Appeal; and

WHEREAS, the Court entered the First Stipulated Order extending the time for filing Mr. Ferguson's Opening Brief until June 21, 2006, Garden Ridge's Answering Brief until July 11, 2006, and Mr. Ferguson's Reply Brief until July 26, 2006; and

WHEREAS, the parties have agreed that the time for filing the Opening Brief shall be further extended to June 30, 2006; and

WHEREAS, the parties have agreed that the time for filing the Answering Brief shall be further and accordingly extended until July 20, 2006; and

WHEREAS, the parties have agreed that the time for filing the Reply Brief shall be further and accordingly extended until August 4, 2006;

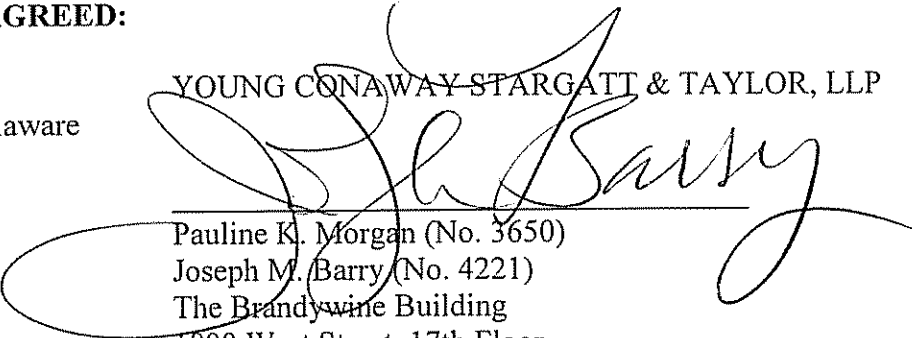
NOW, THEREFORE, based upon the foregoing, it is hereby stipulated by undersigned counsel that:

1. The time period for filing the Opening Brief shall be further extended to June 30, 2006; and
2. Garden Ridge's Answering Brief shall be filed and served on or before July 20, 2006; and
3. Mr. Ferguson's Reply Brief shall be filed and served on or before August 4, 2006; and
4. Entry of this Second Stipulated Order shall be without prejudice to the parties' rights to seek to further modify the briefing schedule set forth herein.

**STIPULATED AND AGREED:**

Dated: June 20, 2006  
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

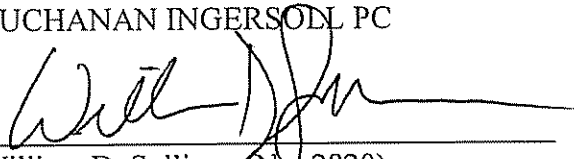


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Counsel for Appellees

Dated: June 20, 2006

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Counsel for Appellant

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Hon. Gregory M. Sleet  
United States District Judge